

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA,

-against-

DEMI ABRIHAM,

Defendant
-----X

SIRS:

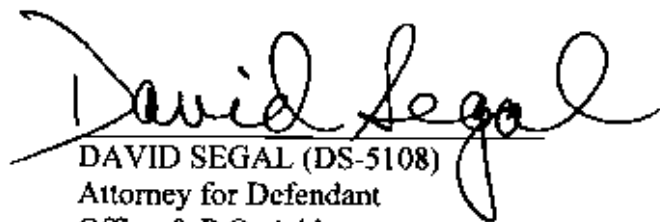
07-Cr-699 (HB)

NOTICE OF MOTION TO
SUPPRESS PHYSICAL
EVIDENCE

PLEASE TAKE NOTICE, that upon the annexed affidavit of the defendant Demi Abriham, duly sworn to on October 9th, 2007, the affirmation of David Segal, Esq. attorney for defendant dated October 9th, 2007, the indictment and all prior proceedings, the undersigned, on behalf of the defendant Demi Abriham, will move this Court before the Honorable Harold Baer, United States District Judge for the Southern District of New York, at the United States Courthouse, 500 Pearl Street, New York, New York, on a date to be set by the Court for an Order:

1. Directing a hearing to determine the admissibility of the defendant's statements; and
2. Granting such other and further relief as this Court deems just and proper.

Dated: New York, New York
October 9th, 2007



DAVID SEGAL (DS-5108)
Attorney for Defendant
Office & P.O. Address:
30 Vesey Street, Suite 900
New York, New York 10007
(212) 406-9200

To: Clerk
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Todd Blanche
Southern District of New York
One St. Andrews Plaza
New York, NY 10007

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA,

07-Cr-699 (HB)

-against-

DEFENDANT'S AFFIDAVIT IN
SUPPORT OF MOTION TO
SUPPRESS STATEMENTS

DEMI ABRIHAM

Defendant

-----X

STATE OF NEW YORK)
COUNTY OF NEW YORK)ss.:

Demi Abriham, being duly sworn, deposes and says:

1. I am the defendant above named and submit this affidavit in support of my motion to suppress statements made by me on June 27, 2007.

2. I was arrested on June 27, 2007 in the Bronx. After being arrested I was taken by the police to their office in Brooklyn.

3. At the office I was asked questions by the police which I answered. After the questioning I was given a Waiver of Rights which I signed.

4. At no time did the police advise me of my rights before asking questions.

Wherefore, it is respectfully requested that a hearing be held to determine the legality of my statements.


DEMI ABRIHAM

Sworn to before me this
9th day of October 2007



Notary Public

ALLEN KRAMEN
Notary Public, State of New York
02 kg No. 31-4804419
Qualified in New York County
Commission Expires Nov 15, 2010

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA,

07-Cr-699 (HB)

-against-

AFFIRMATION IN SUPPORT
OF MOTION

DEMI ABRIHAM,

Defendant

-----X

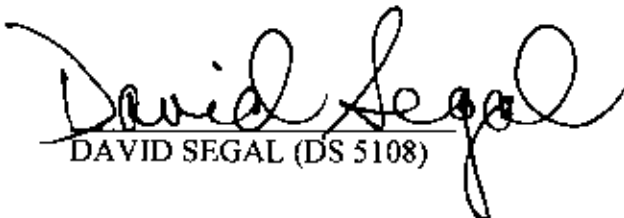
DAVID SEGAL, ESQ., an attorney duly admitted to practice law in the Courts of the
State of New York, affirms under the penalties of perjury, the following:

1. I am the attorney for the defendant Demi Abriham and submit this affirmation in
support of the defendant's motion for an Order directing a hearing on the legality of the
defendant's statements to police.

2. Based upon the defendant's affidavit, a hearing should be ordered.

Wherefore, it is respectfully requested that a hearing be ordered to determine the
admissibility of the defendant's statements.

Dated: New York, New York
October 9th 2007


DAVID SEGAL (DS 5108)

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

DEMI ABRIHAM

Defendant

NOTICE OF MOTION

DAVID SEGAL

Attorney for Defendant

Office & Post Office Address, Telephone

30 VESEY STREET

NEW YORK, N.Y. 10007

(212) 406-9200

To:

Signature (Rule 130-1.1-a)

Print name beneath

Attorney(s) for

Service of a copy of the within

is hereby admitted.

Dated,

Attorney(s) for

Please take notice

NOTICE OF ENTRY

that the within is a (certified) true copy of a
duly entered in the office of the clerk of the within names court on

NOTICE OF SETTLEMENT

that an order of which the within is a true copy will be presented for settlement to the HON.
one of the judges of the within names court, at _____ on _____

Yours, etc.

DAVID SEGAL

Attorney for Defendant

Office & Post Office Address

30 VESEY STREET

NEW YORK, NY 10007

To:

Attorney(s) for: